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(3)

1

ATTORNEY DOCKET NO  
11321-P014US

PATENT  
09/935,995



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Smalley, et al.  
Serial No.: 09/935,995  
Filed: 08/23/2001  
Title: POLYMER-WRAPPED SINGLE WALL CARBON NANOTUBES  
Confirmation No.: 1538  
Art Unit: 1773  
Examiner: unassigned

Assistant Commissioner for Patents  
Box Customer Service Center  
Initial Patent Examination Division  
Missing Parts  
Washington, D.C. 20231

**Certificate of First Class Mailing**

This document is being deposited with the U.S. Postal Service as U.S. First Class Mail with sufficient postage, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

11/27/01  
Date

*Victoria M. C. Ange*  
Signature

Nov 27, 2001  
Date

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.63 dated October 9, 2001, enclosed are the following documents:

1. A 5 page Declaration for Utility Patent Application, fully executed by each inventor;
2. Individual Powers of Attorney or Authorization of Agent (4 pages), signed by each inventor;
3. A 1 page Statement Under 37 CFR §3.73(b) with attached Power of Attorney or Authorization of Agent, fully executed by Assignee (2 pages);
4. A 3 page, fully executed Assignment, with Assignment cover sheet and check in the amount of \$40.00 for recordal of assignment fee;
5. A check in the amount of \$65.00 to cover the fees for Missing Parts;

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09/935,995

6. PTO/SB/ fee transmittal sheet listing both the Missing Parts Response Fee and the Assignment Recordal Fee as well as confirming the Small Entity Status of the Applicants/Assignee;
7. Part 2 -- Copy of the Notice to File Missing Parts of Nonprovisional Application to be returned with Response;
8. Part 2 -- Copy of the Cover Letter for Resending Correspondence to be returned with Response;
9. Change of Correspondence Address; and
10. Postal Receipt Card.

It is believed that no additional fee is due. If this is incorrect, the Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 23-2426.

Respectfully submitted,

WINSTEAD SECHREST & MINICK  
Attorneys for Applicant

By: 

Ross Spencer Garsson  
Reg. No. 38,150

P.O. Box 50784  
1201 Main Street  
Dallas, Texas 75250-0784  
(512) 370-2870  
Date: November 21, 2001  
DALLAS\_1135623642  
11/20/2001 - 11321-P014US

Attorney's Docket: 11321-P014US

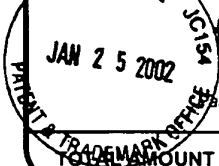
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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

JAN 25 2002



Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 105.00

## Complete if Known

Application Number	09/935,995
Filing Date	08/23/2001
First Named Inventor	Smalley
Examiner Name	Not yet assigned
Group Art Unit	1773
Attorney Docket No.	11321-P014US

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 23-2426  
Deposit Account Name: Winstead Sechrest & Minick P.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) \_\_\_\_\_

### 2. EXTRA CLAIM FEES

Total Claims: \_\_\_\_\_ - 20\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_  
Independent Claims: \_\_\_\_\_ - 3\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_  
Multiple Dependent: \_\_\_\_\_ = \_\_\_\_\_

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \_\_\_\_\_

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 105.00

## SUBMITTED BY

Name (Print/Type) Ross Spencer Garsson

Registration No. 38,150  
(Attorney/Agent)

## Complete (if applicable)

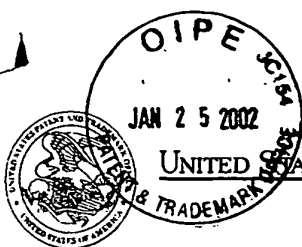
Telephone 512.370.2870

Signature

Date 21 November 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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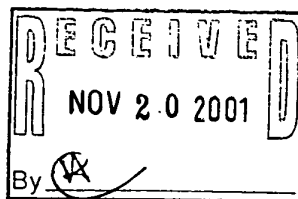
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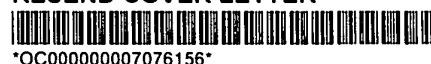
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/935,995	08/23/2001	Richard E. Smalley	11321-P014US

Winstead Sechrest & Minick P.C.  
5400 Renaissance Tower  
Dallas, TX 75270-2199



CONFIRMATION NO. 1538  
RESEND COVER LETTER



\*OC000000007076156\*

Date Mailed: 11/15/2001

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 10/09/2001 is enclosed. The time period for reply continues to run from the mail date of that Notice.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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## UNITED STATES PATENT AND TRADEMARK OFFICE

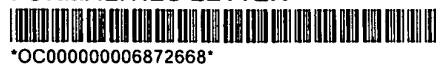
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/935,995	08/23/2001	Richard E. Smalley	11321-P014US

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5400 Renaissance Tower  
Dallas, TX 75270-2199

CONFIRMATION NO. 1538

## FORMALITIES LETTER



\*OC000000006872668\*

Date Mailed: 10/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/29/2002 HTECKLU1 00000047 09935995

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